

**Wahpeton City Council**  
**May 15, 2023**  
**5:00 p.m.**

**Present:** Schillinger, Perdue, Goltz, Lambrecht, Bohn, McNary, and Unruh (remotely)

**Absent:** Woods and Fobb

**Also Present:** Huwe, Hatting, Miranowski, Broadland, DeVries, Bakken, Anderson, and O'Meara

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

Meeting called to order by Mayor Lambrecht. The pledge of allegiance was then recited.

**PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.**

**Lighting Contest Winner Bobcat - Wahpeton** – Mayor Lambrecht presented Dan Lugert, Plant Manager of Bobcat, with an award recognizing Bobcat as the Holiday Lighting Contest winner.

**CONSENT AGENDA ITEMS (presented by the Mayor) –**

**Approval of minutes of regular meeting held May 1, 2023**

**Games of Chance Licenses, Site Authorizations & Special Permits:**

Relay For Life Scramble for a Cure – Raffle Permit

Southern Valley Figure Skating Club – Site Authorization Driftwood Lounge

**Other Games of Chance Licenses, Site Authorizations & Special Permits:**

Wahpeton Hockey Association – Site Authorization Firehouse Pub

Wahpeton Hockey Association – Site Authorization Sportsman's Lounge

Wahpeton Breckenridge Rotary Club – Raffle Permit

**Presentation/Approval of Reports**

April 2023 Bill Pay Report \$2,124,849.78 (see below)

April 2023 Financial Statements

Safe Drinking Water Act Certificate of Achievement

ND State Water Education Foundation 2023 Summer Water Tours

Cleanup Week May 15<sup>th</sup>-19<sup>th</sup>

Mayor Lambrecht asked if there were any items to be removed from the consent agenda and there were none. **Motion by McNary, seconded by Goltz, to approve the Consent Agenda items as presented. Motion carried with all voting 'aye'.**

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**ND State Tax Commissioner Tax Collection Contract 7-1-23 to 6-30-25** – Huwe said the City contracts with the ND State Tax Commissioners Office for the collection of all local sales, use, and gross receipts taxes. Sales and use tax permit holders can remit state and local sales tax in a single filing report for local sales tax, lodging tax, and restaurant tax. The City has contracted with the state since 1991. The fees are the lesser of 3% of all taxes collected or \$35 per permit holder. The estimated 3% fee based on current biennium collections of \$6.7 million would be \$8,425 per month. There are currently 201 sales and use tax permit holders in the city of Wahpeton resulting in an annual fee of \$7,032 or \$14,064 for the biennium. The contract terms are otherwise unchanged. **Motion by Bohn, seconded by Schillinger, to approve the renewal of the Sales Tax Collection Contract with the ND State Tax Commissioner from 7-1-2023 to 6-30-2025. Motion carried with a roll call vote of 6-0.**

**Development Agreement Updates – refer to Finance Cmt.** – Huwe said negotiations have continued on the Notice to Proceed in the Wahpeton Community Development Corporation development agreement for Homestead Addition. She would like to provide a benchmark/status update of all outstanding development agreements to the Finance Committee. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

**2024 Budget Preparation Calendar and Premises – refer to Finance Cmt.** – Huwe said the budget season is quickly approaching. Submittal deadlines, projected mill levy values, the consumer price index, and cash flow planning are part of the preliminary budget. She requested the 2024 Budget Premises be referred to the Finance Committee. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

**ND League of Cities Regional Meeting – Legislative Session Recap** – Huwe reported the ND League of Cities will provide recaps of the 68<sup>th</sup> Legislative Session by conducting regional meetings, and the SE Region meeting is scheduled for Thursday, June 29<sup>th</sup> in Fargo. Those interested in attending should contact Huwe as pre-registration is required.

Huwe gave a reminder that City Hall will be closed on Monday, May 29<sup>th</sup> in observation of Memorial Day, and no council committee meetings are scheduled that week.

### **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report** – Regarding the four BND PACE loan buydowns that were approved at the previous meeting, DeVries explained that they were all approved for payback starting in 5 years however at the time he was unaware of Bank of ND’s new language in their buydown requirements which states the community shall not commence interest or repayment of principal until the Flex PACE interest buydown has been fully expended. There would be no change in the previously approved amounts, only the terms. This would mean the Driftwood Lounge and Dakota Hurd Co. will remain at 5 years, however HowCo. Properties will start payback at 17 years and Burkett Family Custom Knives at 20 years. He said if the Council is in agreeance the motion will need to be amended to reflect this information. **Motion by Perdue, seconded by Goltz, to amend the original motion to approve the four requests for Bank of ND PACE Loan Interest Buydowns for the total City’s share of up to \$172,984.83 with repayment to begin after 5 years: Driftwood Lounge LLC for up to \$8,826.90, and Dakota Hurd Co. LLC for up to \$32,263.78; with repayment to begin after 17 years: HowCo Properties, LLC for up to \$85,714.33; and with repayment to begin after 20 years: Burkett Family Custom Knives for up to \$46,179.82. Motion carried with a roll call vote of 6-0.**

**Heritage Square Tree – refer to PW Cmt.** – DeVries requested referral of discussion of alternatives for the Heritage Square Tree to the Public Works Committee. Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

**Comprehensive Plan Update & Public Hearing** – DeVries gave a reminder of the joint public hearing on the Comprehensive Plan Update which will be held June 5<sup>th</sup> at 5:00 pm.

**Win Column** – This issue featured Wahpeton as ‘the Place to Be’, listing several events taking place in the next couple of months.

### **LIBRARY DIRECTOR**

**Library Report** – Bakken reported the Friends of the Library will hold a free-will book sale on June 1st. She announced the library will once again be a site for the summer food program, serving from 11:15 am-12:15 pm. The summer reading program will begin Monday, June 5<sup>th</sup> with the theme ‘All Together Now’. It runs until July 28<sup>th</sup>. The library will be closed Monday, May 29<sup>th</sup> in observation of Memorial Day.

**POLICE CHIEF – Police Dept. Report** – Police Chief Anderson reported the citizen camera systems program registration is available on the Police Department website. It is voluntary information that will aid the police department should they ever be in need of such information they will know which places to contact first. The body camera grant will be awarded on September 30<sup>th</sup>. The two new Police Department Tahoes will be outfitted starting next week. Once that is completed they will replace the Explorer and Expedition. The second impound letters were mailed today and in the interim they were able to get rid of two vehicles, so they are down to 29 vehicles.

**Seatbelt Violations – refer to PW Cmt.** – Anderson requested referral of Ordinance 42-917 to Public Works. Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

## **PUBLIC WORKS DIRECTOR**

### **Public Works Report –**

**Waste Management Residential Waste Removal Contract Renewal – refer to PW Cmt.** – Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **to Extend the Completion Date of the East Side Sanitary Sewer Phase II**. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Street Shop Door to the Service Bay**. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Golf Course Irrigation Pump**. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Discussion on Street Department and Parks & Recreation Equipment Swap**. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski said the 1977 dump truck that was supposed to go to auction is not drivable and it would cost more to transport it to the auction site than it is worth so he asked for permission to advertise the truck in the local newspaper for disposal. **Motion by Goltz, seconded by McNary, to approve disposing of the S-77-1 1977 2-Ton Chevrolet Truck by advertising it for sale by bids in the local newspaper.** Unruh suggested trying Three Rivers Trading of Wahpeton, which is a K bid site, as an option. Miranowski noted the truck would need to be hauled. **Motion by Goltz, seconded by McNary, to amend the motion to include also advertising the truck for sale on the Three Rivers Trading of Wahpeton site. Motion carried with a roll call vote of 6-0.**

Miranowski reported on the Public Works/Street Department tasks/activities in the past few weeks that have been completed or that are being worked on.

## **COMMUNICATIONS FROM THE MAYOR & COUNCIL**

McNary announced that registration for Wahpeton Parks & Recreation summer programs is now open. He also noted that they are trying to revive Twin Town baseball for ages 8-12. Lambrecht then thanked those who attend the Southern Valley Aging Expo last Thursday.

## **REPORTS FROM THE CITY COUNCIL COMMITTEES**

### **Public Works & Public Safety Committee Report**

McNary said the Public Works & Public Safety Committee met on May 8 at 4:00 p.m.

**2024-2028 Capital Improvements Plan – motion to approve draft and schedule hearing for June 5<sup>th</sup>, 2023 at 5:00 p.m. – Motion by McNary, seconded by Perdue, to approve preparing a draft Capital Improvements Plan for 2024-2028, post it to the website, and set a public hearing for adoption on June 5<sup>th</sup>, 2023. Motion carried with all voting ‘aye.’**

**Purchase of Body Cameras – discussion**

**Right of Way License 10<sup>th</sup> St. S. – discussion**

**Keeping of Poultry – discussion**

**Fire Hydrants Located on Private Property Ord. 1053 – discussion**

**One-Way Streets – discussion**

**Building Official Updates**

**Referrals – see PW Director Report**

**Finance, Personnel & Economic Development Committee Report**

Bohn said Finance, Personal & Economic Development met on May 8 at 5:00 p.m.

**2024-2028 Capital Improvements Plan – see PW Cmt. Report**

**Development Agreement Process – discussion**

**Homestead Addition Development Agreement – discussion**

**11<sup>th</sup> St. N. Development Agreement Request – motion to draft agreement – Motion by Bohn, seconded by Schillinger, to approve proceeding with the Development Agreement for 11<sup>th</sup> Street North Project with Troy and Darla Thimjon contingent upon the Richland Wilkin Joint Powers Authority’s final approval of their guaranty, and to direct the City Attorney to draft the Development Agreement. Motion carried with all voting ‘aye’.**

**Position Description Updates – discussion**

**Referrals**

April 2023 Bill Pay Report

<b>DISBURSEMENTS FUND</b>	<b>ACCOUNTS PAYABLE</b>	<b>PAYROLL &amp; GL</b>	<b>TOTAL</b>
101 GENERAL FUND	\$287,959.82	\$49,103.45	\$337,063.27
201 WATER OPERATING FUND	\$62,833.42	\$50,757.07	\$113,590.49
202 SANITARY SEWER OPERATING FUND	\$48,225.25	\$31,353.24	\$79,578.49
203 WASTE REMOVAL OPERATING FUND	\$30,128.45	\$1,407.42	\$31,535.87
204 WASTE REDUCTION FUND	\$500.00		\$500.00
205 VECTOR CONTROL FUND	\$8,912.21	\$1,532.28	\$10,444.49
206 STREET LIGHTING	\$16,024.25		\$16,024.25
207 STORM WATER UTILITY	\$83.80		\$83.80
209 LIBRARY LEVY FUND	\$4,123.22	\$16,650.24	\$20,773.46
216 AIRPORT 4-MILL LEVY FUND		\$1,076.50	\$1,076.50
226 EMPLOYEE SAFETY COMMITTEE	\$410.99		\$410.99
229 CAPITAL IMPROVEMENTS FUND	\$59,616.74		\$59,616.74
231 FD BLDG & EQUIP LEVY FUND	\$20,011.11		\$20,011.11
233 REAL ESTATE LEVY FUND	\$1,270.84		\$1,270.84
234 SPECIAL STREET MAINT FUND	\$86.40		\$86.40
235 SNOW/FLOOD EMERG LEVY FUND	\$6,694.00		\$6,694.00
236 LEVEE MAINTENANCE	\$10,402.38	\$10,264.25	\$20,666.63
253 METER DEPOSITS TRUST FUND	\$544.42		\$544.42
261 UNEMPLOYMENT COMP RESERVE FUND	\$47.52		\$47.52
271 ECONOMIC DEVEL DEPT FUND	\$2,473.99	\$12,924.26	\$15,398.25
303 MISCELLANEOUS FUND	\$34.00		\$34.00

315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$15,000.00		\$15,000.00
319 LODGING TAX FUND	\$2,948.12		\$2,948.12
320 SALES TAX OPERATING FUND	\$18,571.17		\$18,571.17
326 REVOLVING LOAN FUND	\$416.67		\$416.67
365 PD SPEC EQUIP SINKING FUND	\$12,333.59		\$12,333.59
393 1% RESTAURANT TAX FUND	\$163.27		\$163.27
401 BDSGC CART SUBLEASE	\$4,285.00		\$4,285.00
457 R/I #11111 SERIES 2011B	\$142,957.50		\$142,957.50
459 R/I #11314 SERIES 2014	\$99,930.00		\$99,930.00
461 R/I #11516 SERIES 2016	\$359,282.50		\$359,282.50
462 R/I #11617 SERIES 2017	\$237,360.00		\$237,360.00
467 R/I# 12118 SERIES 2018E	\$9,680.00		\$9,680.00
473 R/I# 12722 SERIES 2022	\$317,840.69		\$317,840.69
670 EDGEWOOD PARK ST18-239	\$160.00		\$160.00
672 8TH AVE. N PROJ. ST19-248	\$254.40		\$254.40
682 PRAIRIE FLATS 1ST ST21-261	\$159,965.35		\$159,965.35
691 VECTOR CTRL CHEMICAL BLDG	\$7,000.00		\$7,000.00
<b>TOTAL</b>	<b>\$1,949,781.07</b>	<b>\$175,068.71</b>	<b>\$2,124,849.78</b>

### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Public Works Committee May 22<sup>nd</sup> 4:00 p.m.
- b. Finance Committee May 22<sup>nd</sup> 5:00 p.m.

**Motion by Goltz, seconded by Schillinger, to adjourn at 5:40 p.m. Motion carried.**

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Mayor Brett Lambrecht

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Lynelle Amos, Finance Assistant